

**IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL**

Writ Petition No. 5748 (SS) of 2001
(Old No. 1864 of 1992)

Smt. Urmila Devi Uniyal,
W/o Sri Bhagwati Prasad Uniyal,
Government Girls Higher Secondary
School, New Tehri
Tehri Garhwal and 7 others.**Petitioners.**

Versus

1. State of Uttar Pradesh through Secretary, Education,
Government of U.P., Lucknow.
 2. Uppar Shiksha Nideshak (Hills) at Lucknow.
 3. District Inspector of Schools, Tehri Garhwal.
-**Respondents**

Hon'ble M.M. Ghildiyal, J

Heard Ms. Puja Banga, learned counsel for the petitioners, Smt. Beena Pandey, Id. Standing Counsel for State of U.P. on behalf of respondents no. 1 and 2 and Sri N.P. Shah, learned standing counsel for respondent no. 3.

By means of this writ petition, the petitioners have prayed for the following reliefs:

1. *Issue a writ order or direction in the nature of Mandamus commanding the respondents to give the selection grade to the petitioners retrospectively calculating the mandatory 16 years from the date of the initial appointment of the petitioners in the Adarsh Vidyalaya. It is further prayed that the petitioners may be given all the back arrears etc. (together with interest) to which petitioners are entitled.*

- b. issue any other writ, order or direction which this Hon'ble court may deem fit and proper in the circumstances of the case*
- c. award the costs of the petition to the petitioners.*

The submission of the learned counsel for the petitioners is that petitioners, who were working as Assistant Teacher, were entitled for selection grade after completing 16 years of regular service from date of their initial appointment in pursuance to various Government Orders. However, they have not been paid selection grade, consequently, they were constrained to file present writ petition in the year 1991.

More than 17 years have passed. Neither the petitioners nor the respondents are aware with the fact that whether selection grade has been granted to the petitioners or not?

Allahabad High Court has passed an order on 21.12.1992 directing respondents to pay petitioners selection grade or to show cause. It appears that petitioners have already been paid selection grade and in case, the same has yet not been paid to them, it is expected from the respondents that they may make payment of selection grade and payment of arrear of selection grade, if any, in case they are entitled for the same in accordance with law within a period one month from the date of production of certified copy of this order.

With this direction, writ petition is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J)

March 19, 2007
SKsharma